

Notice of Allowability

Application No.

10/077,345

Examiner

Srirama Channavajjala

Applicant(s)

HASKIN ET AL.

Art Unit

2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/12/05.
2. ☐ The allowed claim(s) is/are 1-26.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).


* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 12222005.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


Srirama Channavajjala
Primary Examiner
Art Unit: 2166

DETAILED ACTION

Interview:

1. Mr. Jeffrey N. Giunta [Applicant's representative] is thanked for the interview on 22 December 2005. During that interview, Mr. Jeffrey N. Giunta granted authorization to amend the following claims.

claim 8 line 6, add "means for" before storing,

claims 13-18, amend pre amble of the, to add " physical storage".

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jeffrey N. Giunta, [Tel: 561-989-9811] on 22 December 2005.

The application has been amended as follows:

In the claims:

Claim 8 (line 6) has been amended as follows:

means for storing, in response to appending data to the source file, disk address values into

Claim 13 (line 1) has been amended as follows:

A computer readable **physical storage** medium including computer

Claim 14 (line 1) has been amended as follows:

The computer readable **physical storage** medium of claim 13, the

Claim 15 (line 1) has been amended as follows:

The computer readable **physical storage** medium of claim 14, the

Claim 16 (line 1) has been amended as follows:

The computer readable **physical storage** medium of claim 15, wherein the

Claim 17 (line 1) has been amended as follows:

The computer readable **physical storage** medium of claim 15, the

Claim 18 (line 1) has been amended as follows:

The computer readable **physical storage** medium of claim 17, wherein the

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Pursuant to MPEP 606.01 the **Title** is changed to read:

**-- DITTO ADDRESS INDICATING TRUE DISK ADDRESS FOR ACTUAL DATA
BLOCKS STORED IN ONE OF AN INODE OF THE FILE SYSTEM AND
SUBSEQUENT SNAPSHOT--**

4. Examiner acknowledges applicant's response with amendment under 37 CFR 1.116 filed on 12/12/2005.

5. In view of applicant amendment to claim 19 filed on 12/12/2005, the rejection under 35 USC 112 second paragraph as set forth in the previous office action is hereby withdrawn, also in view of amendment to claim 26, the objection set forth in the previous office action is also hereby withdrawn.

6. Claims 1,7,13,19,24,26 have been amended [7/26/2005].

7. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/5/2005 has been entered and a non-final Office mailed on 04/26/2005

8. Claims 1-19,23-24,26 have been amended [4/5/2005].
9. Examiner acknowledges applicant's amendment filed on 10/1/2004.
10. Claims 1-26 have been amended [10/1/2004].
11. In view of the applicant submitted "terminal disclaimer", rejection under obviousness-type double patenting as set forth in the previous office action is hereby withdrawn.

Drawings

12. The Drawings filed on 6/3/2002 are acceptable for examination purpose.


Information Disclosure Statement

13. The information disclosure statement filed on 1/26/2004, paper no. # 4 is in compliance with the provisions of 37 CFR 1.97, and has been considered and a copy was enclosed with previous Office Action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Srirama Channavajjala whose telephone number is 571-272-4108. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:30 PM Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alam, Hosain, T, can be reached on (571) 272-3978. The fax phone numbers for the organization where the application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free)

sc
Patent Examiner.
December 22, 2005.


SRIRAMA CHANNAVAJJALA
PRIMARY EXAMINER